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Atty Dkt No. 8325-2001.30  
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PATENT

EV 036 420

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PATRICIA K. HIMEZ  
(Typed or Printed Name of Person Mailing Paper or Fee)

PATRICIA K. HIMEZ  
(Signature of Person Mailing Paper or Fee)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Reissue Patent Application of:

CHOO et al. (U.S. Patent No. 6,007,988)

Serial No.: 10/033,129

Art Unit: 1636

Filing Date: December 27, 2001

Examiner: William Sandals

Title: RELATING TO BINDING PROTEINS FOR RECOGNITION OF  
DNA

### DECLARATION BY INVENTORS

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to  
my name; and

I verily believe that I am an original, first and joint inventor of the subject  
matter that is claimed in letters patent number 6,007,988 granted on **December 28, 1999**  
and in the foregoing specification and for which invention I solicit a reissue patent;

### ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above  
identified specification, including the claims.

I acknowledge the duty to disclose all information known to be material to the  
patentability of this application in accordance with 37 C.F.R. 1.56.

### PRIORITY CLAIM

I hereby claim foreign priority benefit under 35 U.S.C. 119 of any applications for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of any application on which priority is claimed.

Country	Application No.	Date Filed	Priority Claimed
GB	9416880.4	20 Aug 1994	YES
GB	9422534.9	08 Nov 1994	YES
GB	9514698.1	18 July 1995	YES

### STATEMENT OF INOPERATIVENESS OF ORIGINAL PATENT 37. C.F.R. 1.175

That I believe the original patent to be

☒ partly    ☐ wholly

inoperative because of error or errors, all of which were without any deceptive intent on the part of the applicant, by reason of said patent claiming

☐ more    ☒ less

than patentee had a right to claim.

This reissue application

☒ does    ☐ does not

seek to enlarge the scope of said original patent.

(1) It was an error without deceptive intent to have failed to claim in the original patent a polypeptide comprising a designed zinc finger polypeptide and at least one functional domain.

(2) It was an error without deceptive intent to have failed to claim in the original patent a polynucleotide encoding a polypeptide including a designed zinc finger polypeptide and at least one functional domain.

(3) It was an error without deceptive intent to have failed to claim in the original patent a method for altering the expression of a chromosomal gene using a designed zinc finger polypeptide.

(4) It was an error without deceptive intent to have failed to claim in the original patent dependent claims from the composition and method claims described in paragraphs (1), (2) and (3) above.

#### DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

(XX) Execution by the Inventors

Signed: \_\_\_\_\_

Yen CHOO

Date: \_\_\_\_\_

8/1/02

Residence: Cambridge, Great Britain

Post Office Address: 130 Ross Street, Cambridge CB1 3BU, United Kingdom

Citizenship: United Kingdom

Signed: \_\_\_\_\_

Aaron KLUG

Date: \_\_\_\_\_

Residence: Cambridge, Great Britain

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Isidro SANCHEZ-GARCIA

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Francis K. Hironaka

(Typed or Printed Name of Person Mailing Paper or Fee)

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Signed: \_\_\_\_\_ Date: \_\_\_\_\_

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